EXHIBIT 12 WSOU's Aug. 30, 2021 Updated Preliminary Claim Constructions

PLAINTIFF WSOU'S PROPOSED PRELIMINARY CLAIM CONSTRUCTIONS (ALLEGED "MPF" CLAIM TERMS UPDATED)

	U.S. Patent No. 8,103,213					
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition		
1.	computer program code configured to initiate an inquiry from an apparatus to at least one other apparatus	8	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning. To the extent, however, that the Court treats the term as means-plus-function: Function: initiate an inquiry from an apparatus to at least one other apparatus Structure/material/acts: For example, apparatus A (1300) and process 1 of Fig. 13, communications module 230 of Fig. 2, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and steps 1406-1412 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 19:62-20:4, 21:1-3, and 21:15-42, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or	Governed by 35 U.S.C. § 112, ¶ 6. Function: "initiate an inquiry from an apparatus to at least one other apparatus" Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.		
			testimony of Dr. Polish to explain the technology			

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	U.S. Patent No. 8,103,213					
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition		
			of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.			
			WSOU further reserves the right to rely on positions and evidence cited by NEC.			
2.	computer program code configured to receive remote characteristic information into the apparatus	8	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "receive remote characteristic information into the apparatus"		
			To the extent, however, that the Court treats the term as means-plus-function:	Structure: Indefintie.		
			Function:	Algorithm: None, and thus indefinite.		
			receive remote characteristic information into the apparatus Structure/material/acts:	Extrinsic Evidence: Expert testimony from Dr. Matthew		
			For example, apparatus A (1300) and process 2 of Fig. 13, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1414 of Fig. 14A, and the corresponding portions	Shoemake.		

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	U.S. Patent No. 8,103,213					
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition		
			of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:4-24, 21:1-3, and 21:28-42, and equivalents thereof.			
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:			
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.			
			WSOU further reserves the right to rely on positions and evidence cited by NEC.			
3.	computer program code configured to determine local	8	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "determine local characteristic		
	characteristic information in the apparatus		No construction necessary – plain and ordinary meaning.	information in the apparatus"		
			To the extent, however, that the Court treats the term as means-plus-function:	Structure: Indefinite.		

	U.S. Patent No. 8,103,213					
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition		
			Function: determine local characteristic information in the apparatus Structure/material/acts: For example, apparatus A (1300) and process 3 of Fig. 13, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1416 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:25-35, 21:1-3, and 21:28-42, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on	Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.		
			Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.			

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
			WSOU further reserves the right to rely on positions and evidence cited by NEC.	
4.	computer program code configured to formulate a configuration in the apparatus	8	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "formulate a configuration in the apparatus"
			To the extent, however, that the Court treats the term as means-plus-function: Function: formulate a configuration in the apparatus	Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence:
			Structure/material/acts: For example, apparatus A and process 4 of Fig. 13, apparatus 1102 of Fig. 12, apparatus 1104 of Fig. 11, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1418 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:7-52, 18:4-6, 18:45-60, and 20:35-44, 21:1-3, and 21:43-48, and equivalents thereof.	Expert testimony from Dr. Matthew Shoemake.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: • Dictionary of Computer and Internet Words at WSOU-NEC-0001867	

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Terms	Claims		
	C101111	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
		 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC. 	
omputer program ode configured to nd the	8	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.	Governed by 35 U.S.C. § 112, ¶ 6.
onfiguration from		No construction necessary – plain and ordinary meaning	
d n n	le configured to d the	le configured to d the diguration from	NEC-0001870 • Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001884 • Dictionary of Computing (5 th Edition) at WSOU-NEC-0001889 • Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 • Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC. Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary

	U.S. Patent No. 8,103,213					
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition		
	at least one other apparatus		To the extent, however, that the Court treats the term as means-plus-function:	Function: "send the configuration from the apparatus to the at least one other apparatus"		
			Function: send the configuration from the apparatus to the at least one other apparatus	Structure: Multiradio controller, master control system, and radio modems/software-		
			Structure/material/acts: For example, apparatus A and process 5 of Fig. 13, communications module 230 of Fig. 2, memory	defined radio modules. Structure: Indefinite.		
			330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1420 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:45-48, 21:1-3, and 21:48-	Algorithm: None, and thus indefinite. Extrinsic Evidence:		
			56, and equivalents thereof.	Expert testimony from Dr. Matthew Shoemake.		
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	Shoemake.		
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU- NEC-0001870 Microsoft Computer Dictionary (5th 			
			 Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 			

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
			 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC- 0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. 	
		0	WSOU further reserves the right to rely on positions and evidence cited by NEC.	
6.	computer program code configured to implement the configuration in the apparatus	8	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "implement the configuration in the apparatus"
			To the extent, however, that the Court treats the term as means-plus-function: Function: implement the configuration in the apparatus	Structure: Indefinite. Algorithm: None, and thus indefinite.

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
			Structure/material/acts: For example, apparatus A and process 6 of Fig. 13, apparatus 1102 of Fig. 12, apparatus 1104 of Fig. 11, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1422 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:49-53, 21:1-3, and 21:52-56, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: • Dictionary of Computer and Internet Words at WSOU-NEC-0001867 • IBM Dictionary of Computing at WSOU-NEC-0001870 • Microsoft Computer Dictionary (5 th Edition) at WSOU-NEC-0001884 • Dictionary of Computing (5 th Edition) at WSOU-NEC-0001889 • Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 • Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC-0001899	Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.

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U.S. Patent No. 8,103,213					
Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition			
	WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.				
8	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning. To the extent, however, that the Court treats the term as means-plus-function: Function: establish communication between the apparatus and at least one other apparatus in accordance with the configuration Structure/material/acts:	Governed by 35 U.S.C. § 112, ¶ 6. Function: "establish communication between the apparatus and at least one other apparatus in accordance with the configuration" Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence:			
		Claims WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC. Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning. To the extent, however, that the Court treats the term as means-plus-function: Function: establish communication between the apparatus and at least one other apparatus in accordance with the configuration			

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
			230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1424 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:53-67, 21:1-3, and 21:52-56, and equivalents thereof.	Expert testimony from Dr. Matthew Shoemake.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 	
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning	

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
			of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.	
			WSOU further reserves the right to rely on positions and evidence cited by NEC.	
8.	means for initiating an inquiry from the apparatus to at least one other	22	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. Function:	Governed by 35 U.S.C. § 112, ¶ 6. Function: "initiating an inquiry from the
	apparatus		initiating an inquiry from an apparatus to at least one other apparatus	apparatus to at least one other apparatus" Structure: Indefinite.
			Structure/material/acts: For example, apparatus A (1300) and process 1 of Fig. 13, communications module 230 of Fig. 2,	Algorithm: None, and thus indefinite.
			memory 330 and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102	Extrinsic Evidence:
			and software modules 1110-1118 of Fig. 12, and steps 1406-1412 of Fig. 14A, and the corresponding portions of the specification at6:17-30, 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-60, 19:62-20:4, 21:1-3, and 21:15-42, and equivalents thereof.	Expert testimony from Dr. Matthew Shoemake.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	

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	U.S. Patent No. 8,103,213					
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition		
9.	means for receiving remote characteristic information into the apparatus	22	WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC. Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. Function: receiving remote characteristic information into the apparatus Structure/material/acts: For example, apparatus A (1300) and process 2 of Fig. 13, communications module 230 of Fig. 2, memory 330 and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and step 1414 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22,	Governed by 35 U.S.C. § 112, ¶ 6. Function: "receiving remote characteristic information into the apparatus" Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.		

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence 8:60-9:5, 17:8-52, 18:4-60, 20:4-24, 21:1-3, and	NEC's Proposed Definition
			21:28-42, and equivalents thereof.	
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with	
			respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning	
			of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of	
			NEC.	
			WSOU further reserves the right to rely on positions and evidence cited by NEC.	
10.	means for	22	Governed by 35 U.S.C. § 112, ¶ 6. This term is	Governed by 35 U.S.C. § 112, ¶ 6.
	determining local characteristic		not indefinite.	Function: "determining local characteristic
	information in the		Function:	Tanearin determining room enaracteristic
	apparatus		determining local characteristic information in the apparatus	information in the apparatus"
			apparatus	Structure: Indefinite.
			Structure/material/acts:	

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	U.S. Patent No. 8,103,213					
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition		
			For example, apparatus A (1300) and process 3 of Fig. 13, communications module 230 of Fig. 2, memory 330 and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and step 1416 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-60, 20:25-35, 21:1-3, and 21:28-42, and equivalents thereof.	Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.		
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.			
11.	means for	22	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.	Governed by 35 U.S.C. § 112, ¶ 6.		
	formulating a		not maeninite.			

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	U.S. Patent No. 8,103,213					
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition		
No.	configuration in the apparatus	Claims	Claim Constructions and Extrinsic Evidence Function: formulating a configuration in the apparatus Structure/material/acts: For example, apparatus A and process 4 of Fig. 13, apparatus 1102 and software modules 1110-1118 of Fig. 12, apparatus 1104 of Fig. 11, communications module 230 of Fig. 2, memory 330 and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and step 1418 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-60, and 20:35-44, 21:1-3, and 21:43-48, and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	NEC's Proposed Definition Function: "formulating a configuration in the apparatus" Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.		
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU- NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 			

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
			Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC- 0001899	
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.	
12		22	positions and evidence cited by NEC.	Coverna 1 hrs 25 H C C & 112 M C
12.	means for sending the configuration	22	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.	Governed by 35 U.S.C. § 112, ¶ 6.
	from the apparatus to the at least one other apparatus		<u>Function</u> : sending the configuration from the apparatus to the	Function: "sending the configuration from the apparatus to the at least one other apparatus"
	other apparatus		at least one other apparatus	
			Standardon de distribuido	Structure: Indefinite.
			Structure/material/acts: For example, apparatus A and process 5 of Fig. 13, communications module 230 of Fig. 2, memory	Algorithm: None, and thus indefinite.
			330 and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and step	Extrinsic Evidence:

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
			1420 of Fig. 14A, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-60, 20:45-48, 21:1-3, and 21:48-56, and equivalents thereof.	Expert testimony from Dr. Matthew Shoemake.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU- NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC- 0001899 	
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on	

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
			Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.	
13.	means for implementing the configuration in the apparatus	22	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. Function: implementing the configuration in the apparatus Structure/material/acts: For example, apparatus A and process 6 of Fig. 13, apparatus 1102 of Fig. 12, apparatus 1104 of Fig. 11, communications module 230 of Fig. 2, memory 330 and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-60, 20:49-53, 21:1-3, and 21:52-56, and equivalents thereof.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "implementing the configuration in the apparatus" Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: • Dictionary of Computer and Internet Words at WSOU-NEC-0001867	

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	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition	
			 IBM Dictionary of Computing at WSOUNEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC. 		
14.	means for establishing communication between the apparatus and at	22	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. Function:	Governed by 35 U.S.C. § 112, ¶ 6.	

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
	least one other apparatus in accordance with		establishing communication between the apparatus and at least one other apparatus in accordance with the configuration	Function: "establishing communication between the apparatus and at least one other
	the configuration		Structure/material/acts: For example, apparatus A and process 8 of Fig. 13,	apparatus in accordance with the
			apparatus B of Fig. 13, communications module 230 of Fig. 2, memory 330 and processor 300 of	configuration"
			Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and step 1424 of Fig. 14A, and the	Structure: Indefinite. Algorithm: None, and thus indefinite.
			corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-60, 20:53-56, 21:1-3, and 21:52-56, and equivalents thereof.	Extrinsic Evidence:
			30, 21.1-3, and 21.32-30, and equivalents thereof.	Expert testimony from Dr. Matthew
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	Shoemake.
			Dictionary of Computer and Internet Words at WSOU-NEC-0001867	
			IBM Dictionary of Computing at WSOU- NEC-0001870 Minute & Computer Dictionary (5th)	
			 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at 	
			WSOU-NEC-0001889 • Webster's Pocket Computer & Internet	
			Dictionary at WSOU-NEC-0001894	

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	U.S. Patent No. 8,103,213				
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition	
			Webster's New World Computer Dictionary (10 th Edition) at WSOU-NEC- 0001899		
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.		
			WSOU further reserves the right to rely on positions and evidence cited by NEC.		
15.	computer program code configured to receive wireless communication in an apparatus	24	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "receive wireless communication in an apparatus"	
			To the extent, however, that the Court treats the term as means-plus-function: Function: receive wireless communication in an apparatus Structure/material/acts:	Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence:	

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			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
			For example, apparatus B (1302) of Fig. 13 and process 1 of Fig. 13, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1450 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 19:67-20:1, 20:4-8, and 22:11-25, and equivalents thereof.	Expert testimony from Dr. Matthew Shoemake.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.	
			WSOU further reserves the right to rely on positions and evidence cited by NEC.	
16.	computer program code configured to, if the wireless	24	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.	Governed by 35 U.S.C. § 112, ¶ 6.

			U.S. Patent No. 8,103,213	
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition
	communication includes an inquiry requesting characteristic information, determine characteristic information		No construction necessary – plain and ordinary meaning. To the extent, however, that the Court treats the term as means-plus-function: Function: if the wireless communication includes an inquiry requesting characteristic information, determine characteristic information Structure/material/acts: For example, apparatus B (1302) and processes 1 and 2 of Fig. 13, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and steps 1452 and 1458 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 19:62-20:4, 20:8-24, 22:11-15, and 22:26-35, and equivalents thereof.	Function: "if the wireless communication includes an inquiry requesting characteristic information, determine characteristic information" Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the	

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U.S. Patent No. 8,103,213								
No.	Terms	ns Claims WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		NEC's Proposed Definition				
17.	computer program code configured to respond to the inquiry, the response comprising the characteristic information	24	of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC. Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning. To the extent, however, that the Court treats the term as means-plus-function: Function: respond to the inquiry, the response comprising the characteristic information Structure/material/acts: For example, apparatus B (1302) and process 2 of Fig. 13, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1460 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:4-24, 22:11-15, and 22:35-55, and equivalents thereof.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "respond to the inquiry, the response comprising the characteristic information" Structure: Multiradio controller, master control system, and radio modems/software-defined radio modules. Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence:				

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	U.S. Patent No. 8,103,213							
No.	o. Terms Claims		WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition				
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or	Expert testimony from Dr. Matthew Shoemake.				
			testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.					
18.	computer program	24	WSOU further reserves the right to rely on positions and evidence cited by NEC. Not governed by 35 U.S.C. § 112, ¶ 6. This term	Governed by 35 U.S.C. § 112, ¶ 6.				
	code configured to receive further wireless communication in the apparatus, the further wireless communication including a configuration		is not indefinite. No construction necessary – plain and ordinary meaning. To the extent, however, that the Court treats the term as means-plus-function: Function:	Function: "receive further wireless communication in the apparatus, the further wireless communication including a configuration" Structure: Indefinite.				

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	U.S. Patent No. 8,103,213							
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition				
			receive further wireless communication in the apparatus, the further wireless communication including a configuration	Algorithm: None, and thus indefinite. Extrinsic Evidence:				
			Structure/material/acts: For example, apparatus B (1302) and process 5 of Fig. 13, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1462 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:45-48, 22:11-15, 22:37-46, and 22:56-59 and equivalents thereof.	Expert testimony from Dr. Matthew Shoemake.				
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:					
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 					

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	U.S. Patent No. 8,103,213							
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition				
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.					
19.	computer program code configured to implement the configuration in the apparatus	24	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning. To the extent, however, that the Court treats the term as means-plus-function: Function: implement the configuration in the apparatus Structure/material/acts: For example, apparatus B (1302) and process 7 of Fig. 13, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11,	Governed by 35 U.S.C. § 112, ¶ 6. Function: "implement the configuration in the apparatus" Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.				

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	U.S. Patent No. 8,103,213							
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition				
			software modules 1110-1118 of Fig. 12, and step 1468 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:49-53, 22:11-15, and 22:56-22:65, and equivalents thereof.					
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:					
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 					
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at					

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	U.S. Patent No. 8,103,213							
No.	Terms	Terms Claims WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence		NEC's Proposed Definition				
			the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.					
20.	computer program code configured to establish communication in accordance with the configuration	24	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning. To the extent, however, that the Court treats the term as means-plus-function: Function: establish communication in accordance with the configuration Structure/material/acts: For example, apparatus B (1302) and process 8 of Fig. 13, communications module 230 of Fig. 2, memory 330 of Figs. 3, 7A, 8A, 9A, or 11, software modules 1110-1118 of Fig. 12, and step 1456 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:53-56, 22:11-15, and 22:65-67, and equivalents thereof.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "establish communication in accordance with the configuration" Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.				

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	U.S. Patent No. 8,103,213							
No.	Terms	Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition				
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:					
			 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. 					

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	U.S. Patent No. 8,103,213						
No. Terms Claims		Claims	WSOU's Preliminary Proposed Claim Constructions and Extrinsic Evidence	NEC's Proposed Definition			
			WSOU further reserves the right to rely on positions and evidence cited by NEC.				
21.	"the processor being configured to:	25	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.				
	receive wireless communication in an apparatus"		No construction necessary – plain and ordinary meaning.				
	ar aff		To the extent, however, that the Court treats the term as means-plus-function:				
			Function: receive wireless communication in an apparatus				
			Structure/material/acts: For example, apparatus B (1302) of Fig. 13 and process 1 of Fig. 13, communications module 230 of Fig. 2, memory 330 and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and step 1450 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 19:67-20:1, 20:4-8, and 22:11-25, and equivalents thereof.				
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:				

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WSOU may rely on the	Governed by 35 U.S.C. § 112,]		
declaration and/or testimony of	J = - 3			
Dr. Polish to explain the	¶ 6.			
technology of the asserted	"			
patent, both generally and with	Function: "receive wireless			
respect to this term, the state of				
the art as of the claimed priority	communication in an			
date of the asserted patent, the				
level of ordinary skill in the art,	apparatus"			
and the meaning of the term to a				
person of ordinary skill in the	Structure: Indefinite.			
art at the time of the invention.				
WSOU may also rely on Dr.	Algorithm: None, and thus			
Polish to respond to NEC's	_			
claim construction positions and	indefinite.			
alleged support, including why				
WSOU's position should be	Extrinsic Evidence:			
adopted over that of NEC.				
	Expert testimony from Dr.			
WSOU further reserves the				
right to rely on positions and	Matthew Shoemake.			
evidence cited by NEC.				
22.	"the processor being	25	Not governed by 35 U.S.C. § 112, ¶	Governed by 35 U.S.C. § 112, ¶
	configured to: [] if the wireless		6. This term is not indefinite.	
	communication includes an			6.
	inquiry requesting		No construction necessary – plain	
	characteristic information,		and ordinary meaning.	Function: "if the wireless
	determine characteristic			
	information"		To the extent, however, that the	communication includes an
			Court treats the term as means-plus-	
			function:	inquiry requesting characteristic
			F 4	
			Function:	information, determine
			if the wireless communication	1
			includes an inquiry requesting	characteristic information"
			characteristic information, determine	
			characteristic information	

	Structure: Indefinite.
Structure/material/acts:	
For example, apparatus B (1302) and	Algorithm: None, and thus
processes 1 and 2 of Fig. 13,	
communications module 230 of Fig.	indefinite.
2, memory 330 and processor 300 of	
Figs. 3, 7A, 8A, 9A, or 11, software-	Extrinsic Evidence:
defined radio module 1102 and	
software modules 1110-1118 of Fig.	Expert testimony from Dr.
12, and steps 1452 and 1458 of Fig.	
14B, and the corresponding portions	Matthew Shoemake.
of the specification at 6:17-30, 6:50-	
7:22, 8:60-9:5, 17:8-52, 18:4-6,	
18:45-60, 19:62-20:4, 20:8-24,	
22:11-15, and 22:26-35, and	
equivalents thereof.	
WSOU identifies the following	
exemplary extrinsic evidence that it	
may rely upon in support of its	
construction:	
WSOU may rely on the declaration	
and/or testimony of Dr. Polish to	
explain the technology of the	
asserted patent, both generally and	
with respect to this term, the state of	
the art as of the claimed priority date	
of the asserted patent, the level of	
ordinary skill in the art, and the	
meaning of the term to a person of	
ordinary skill in the art at the time of	
the invention. WSOU may also rely	
on Dr. Polish to respond to NEC's	
claim construction positions and	
alleged support, including why	

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23.	"the processor being configured to: [] respond to the inquiry, the response comprising the characteristic information"	25	WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC. Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning. To the extent, however, that the Court treats the term as means-plusfunction: Function: respond to the inquiry, the response comprising the characteristic information Structure/material/acts: For example, apparatus B (1302) and process 2 of Fig. 13, communications module 230 of Fig. 2, memory 330 and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and step 1460 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:4-24, 22:11-15, and 22:35-55, and equivalents thereof.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "respond to the inquiry, the response comprising the characteristic information" Structure: Multiradio controller, master control system, and radio modems/software-defined radio modules. Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.
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			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction: WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.	
			WSOU further reserves the right to rely on positions and evidence cited by NEC.	
24.	"the processor being configured to: [] receive further wireless communication in the apparatus, the further wireless communication including a configuration"	25	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning. To the extent, however, that the	Governed by 35 U.S.C. § 112, ¶ 6. Function: "receive further wireless communication in the
			Court treats the term as means-plus-function: Function:	apparatus, the further wireless

receive further wireless	communication including a
communication in the apparatus, the	
further wireless communication	configuration"
including a configuration	
	Structure: Indefinite.
Structure/material/acts:	
For example, apparatus B (1302) and	Algorithm: None, and thus
process 5 of Fig. 13, communications	
module 230 of Fig. 2, memory 330	indefinite.
and processor 300 of Figs. 3, 7A, 8A,	
9A, or 11, software-defined radio	Extrinsic Evidence:
module 1102 and software modules	
1110-1118 of Fig. 12, and step 1462	Expert testimony from Dr.
of Fig. 14B, and the corresponding	
portions of the specification at 6:17-	Matthew Shoemake.
30, 6:50-7:22, 8:60-9:5, 17:8-52,	
18:4-6, 18:45-60, 20:45-48, 22:11-	
15, 22:37-46, and 22:56-59 and	
equivalents thereof.	
WSOU identifies the following	
exemplary extrinsic evidence that it	
may rely upon in support of its	
construction:	
 Dictionary of Computer and 	
Internet Words at WSOU-	
NEC-0001867	
 IBM Dictionary of 	
Computing at WSOU-NEC-	
0001870	
Microsoft Computer	
Dictionary (5 th Edition) at	
WSOU-NEC-0001884	

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			 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899 	
			WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.	
25	(6.1	25	by NEC.	C 11 25 H C C 0 112 F
25.	"the processor being configured to: [] implement the configuration in the apparatus"	25	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning.	Governed by 35 U.S.C. § 112, ¶ 6.

	Function: "implement the
To the extent, however, that the	
Court treats the term as means-plus-	configuration in the apparatus"
function:	
	Structure: Indefinite.
Function:	
implement the configuration in the	Algorithm: None, and thus
apparatus	
~	indefinite.
Structure/material/acts:	Data to Data
For example, apparatus B (1302) and	Extrinsic Evidence:
process 7 of Fig. 13, communications	Even and to ation a new for a see Day
module 230 of Fig. 2, memory 330	Expert testimony from Dr.
and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio	Matthew Shoemake.
module 1102 and software modules	Watthew Shoemake.
1110-1118 of Fig. 12, and step 1468	
of Fig. 14B, and the corresponding	
portions of the specification at 6:17-	
30, 6:50-7:22, 8:60-9:5, 17:8-52,	
18:4-6, 18:45-60, 20:49-53, 22:11-	
15, and 22:56-22:65, and equivalents	
thereof.	
WSOU identifies the following	
exemplary extrinsic evidence that it	
may rely upon in support of its	
construction:	
 Dictionary of Computer and 	
Internet Words at WSOU-	
NEC-0001867	
 IBM Dictionary of 	
Computing at WSOU-NEC-	
0001870	

Mr. C.C.
Microsoft Computer Gth Filtri
Dictionary (5 th Edition) at
WSOU-NEC-0001884
• Dictionary of Computing (5 th
Edition) at WSOU-NEC-
0001889
Webster's Pocket Computer
& Internet Dictionary at
WSOU-NEC-0001894
Webster's New World
Computer Dictionary (10 th
Edition) at WSOU-NEC-
0001899
WSOU may rely on the declaration
and/or testimony of Dr. Polish to
explain the technology of the
asserted patent, both generally and
with respect to this term, the state of
the art as of the claimed priority date
of the asserted patent, the level of
ordinary skill in the art, and the
meaning of the term to a person of
ordinary skill in the art at the time of
the invention. WSOU may also rely
on Dr. Polish to respond to NEC's
claim construction positions and
alleged support, including why
WSOU's position should be adopted
over that of NEC.
WSOU further reserves the right to
rely on positions and evidence cited
by NEC.
by file.

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26.	"the processor being configured to: [] establish communication in accordance with the configuration"	25	Not governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. No construction necessary – plain and ordinary meaning.	Governed by 35 U.S.C. § 112, ¶ 6. Function: "establish
			To the extent, however, that the Court treats the term as means-plus-function:	communication in accordance with the configuration"
			Function: establish communication in accordance with the configuration	Structure: Indefinite. Algorithm: None, and thus
			Structure/material/acts: For example, apparatus B (1302) and process 8 of Fig. 13, communications module 230 of Fig. 2, memory 330 and processor 300 of Figs. 3, 7A, 8A,	indefinite. Extrinsic Evidence: Expert testimony from Dr.
			9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and step 1456 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:53-56, 22:11-15, and 22:65-67, and equivalents thereof.	Matthew Shoemake.
			WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	

 Dictionary of Computer and Internet Words at WSOU-NEC-0001867 IBM Dictionary of Computing at WSOU-NEC-0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC-0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC-0001899
WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.

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			WSOU further reserves the right to rely on positions and evidence cited by NEC.	
27.	means for receiving wireless communication in the	26	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.	Governed by 35 U.S.C. § 112, ¶
	apparatus			6.
			Function:	
			receiving wireless communication in	Function: "receiving wireless
			the apparatus	
				communication in the
			Structure/material/acts:	
			For example, apparatus B (1302) of	apparatus"
			Fig. 13 and process 1 of Fig. 13,	
			communications module 230 of Fig.	Structure: Indefinite.
			2, memory 330 and processor 300 of	A1 '4 NT 14
			Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and	Algorithm: None, and thus
			software modules 1110-1118 of Fig.	indefinite.
			12, and step 1450 of Fig. 14B, and	indefinite.
			the corresponding portions of the	Extrinsic Evidence:
			specification at 6:17-30, 6:50-7:22,	Extrinsic Evidence.
			8:60-9:5, 17:8-52, 18:4-6, 18:45-60,	Expert testimony from Dr.
			19:67-20:1, 20:4-8, and 22:11-25,	
			and equivalents thereof.	Matthew Shoemake.
			1	
			WSOU identifies the following	
			exemplary extrinsic evidence that it	
			may rely upon in support of its	
			construction:	
			WSOU may rely on the declaration	
			and/or testimony of Dr. Polish to	
			explain the technology of the	
			asserted patent, both generally and	
			with respect to this term, the state of	

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			the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited	
			by NEC.	
28.	means for, if the wireless communication includes an	26	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.	Governed by 35 U.S.C. § 112, ¶
	inquiry requesting		This term is not indefinite.	6.
	characteristic information,		<u>Function</u> :	
	determining characteristic		if the wireless communication	Function: "if the wireless
	information		includes an inquiry requesting	
			characteristic information,	communication includes an
			determining characteristic information	inquiry requesting characteristic
			Information	inquiry requesting characteristic
			Structure/material/acts:	information, determining
			For example, apparatus B (1302) and	
			processes 1 and 2 of Fig. 13,	characteristic information"
			communications module 230 of Fig.	
			2, memory 330 and processor 300 of	Structure: Indefinite.
			Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and	Algorithm: None, and thus
			software modules 1110-1118 of Fig.	rigoriumi. rione, and mus
			12, and steps 1452 and 1458 of Fig.	indefinite.
			14B, and the corresponding portions	
			of the specification at 6:17-30, 6:50-	Extrinsic Evidence:
			7:22, 8:60-9:5, 17:8-52, 18:4-6,	

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			18:45-60, 19:62-20:4, 20:8-24, 22:11-15, and 22:26-35, and	Expert testimony from Dr.
			equivalents thereof.	Matthew Shoemake.
			WSOU identifies the following	
			exemplary extrinsic evidence that it	
			may rely upon in support of its construction:	
			WSOU may rely on the declaration	
			and/or testimony of Dr. Polish to explain the technology of the	
			asserted patent, both generally and	
			with respect to this term, the state of	
			the art as of the claimed priority date	
			of the asserted patent, the level of	
			ordinary skill in the art, and the meaning of the term to a person of	
			ordinary skill in the art at the time of	
			the invention. WSOU may also rely	
			on Dr. Polish to respond to NEC's	
			claim construction positions and alleged support, including why	
			WSOU's position should be adopted	
			over that of NEC.	
			WSOU further reserves the right to	
			rely on positions and evidence cited by NEC.	
29.	means for responding to the	26	Governed by 35 U.S.C. § 112, ¶ 6.	Governed by 35 U.S.C. § 112, ¶
	inquiry, the response		This term is not indefinite.	
	comprising the characteristic information		Function:	6.
	Information		responding to the inquiry, the	
			response comprising the	
			characteristic information	

	Function: "responding to the
Structure/material/acts:	
For example, apparatus B (1302) and	inquiry, the response comprising
process 2 of Fig. 13, communications	
module 230 of Fig. 2, memory 330	the characteristic information"
and processor 300 of Figs. 3, 7A, 8A,	
9A, or 11, software-defined radio	Structure: Indefinite.
module 1102 and software modules	
1110-1118 of Fig. 12, and step 1460	Algorithm: None, and thus
of Fig. 14B, and the corresponding	
portions of the specification at 6:17-	indefinite.
30, 6:50-7:22, 8:60-9:5, 17:8-52,	
18:4-6, 18:45-60, 20:4-24, 22:11-15,	Extrinsic Evidence:
and 22:35-55, and equivalents	
thereof.	Expert testimony from Dr.
	Matthew Shoemake.
WSOU identifies the following	
exemplary extrinsic evidence that it	
may rely upon in support of its	
construction:	
WSOU may rely on the declaration	
and/or testimony of Dr. Polish to	
explain the technology of the	
asserted patent, both generally and	
with respect to this term, the state of	
the art as of the claimed priority date	
of the asserted patent, the level of	
ordinary skill in the art, and the	
meaning of the term to a person of	
ordinary skill in the art at the time of	
the invention. WSOU may also rely	
on Dr. Polish to respond to NEC's	
claim construction positions and	
alleged support, including why	

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			WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.	
30.	means for receiving further wireless communication in the apparatus, the further wireless communication including a configuration	26	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite. Function: receiving further wireless communication in the apparatus, the further wireless communication including a configuration Structure/material/acts: For example, apparatus B (1302) and process 5 of Fig. 13, communications module 230 of Fig. 2, memory 330 and processor 300 of Figs. 3, 7A, 8A, 9A, or 11, software-defined radio module 1102 and software modules 1110-1118 of Fig. 12, and step 1462 of Fig. 14B, and the corresponding portions of the specification at 6:17-30, 6:50-7:22, 8:60-9:5, 17:8-52, 18:4-6, 18:45-60, 20:45-48, 22:11-15, 22:37-46, and 22:56-59 and equivalents thereof. WSOU identifies the following exemplary extrinsic evidence that it may rely upon in support of its construction:	Governed by 35 U.S.C. § 112, ¶ 6. Function: "receiving further wireless communication in the apparatus, the further wireless communication including a configuration" Structure: Indefinite. Algorithm: None, and thus indefinite. Extrinsic Evidence: Expert testimony from Dr. Matthew Shoemake.

Dictionary of Computer and Internet Words at WSOU- NEC-0001867
IBM Dictionary of
Computing at WSOU-NEC-
0001870
Microsoft Computer
Dictionary (5 th Edition) at
WSOU-NEC-0001884
• Dictionary of Computing (5 th
Edition) at WSOU-NEC-
0001889
Webster's Pocket Computer
& Internet Dictionary at
WSOU-NEC-0001894
Webster's New World
Computer Dictionary (10 th
Edition) at WSOU-NEC-
0001899
WSOU may rely on the declaration
and/or testimony of Dr. Polish to
explain the technology of the
asserted patent, both generally and
with respect to this term, the state of
the art as of the claimed priority date
of the asserted patent, the level of
ordinary skill in the art, and the
meaning of the term to a person of
ordinary skill in the art at the time of
the invention. WSOU may also rely
on Dr. Polish to respond to NEC's
claim construction positions and
alleged support, including why
WSOU's position should be adopted
over that of NEC.

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	1			
			WSOU further reserves the right to rely on positions and evidence cited by NEC.	
31.	means for implementing the configuration in the apparatus	26	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.	Governed by 35 U.S.C. § 112, ¶
	comigaration in the apparatus			6.
			Function:	
			implementing the configuration in	Function: "implementing the
			the apparatus	
				configuration in the apparatus"
			Structure/material/acts:	
			For example, apparatus B (1302) and	Structure: Indefinite.
			process 7 of Fig. 13, communications	Alaarithaa Nana and thus
			module 230 of Fig. 2, memory 330 and processor 300 of Figs. 3, 7A, 8A,	Algorithm: None, and thus
			9A, or 11, software-defined radio	indefinite.
			module 1102 and software modules	macrimite.
			1110-1118 of Fig. 12, and step 1468	Extrinsic Evidence:
			of Fig. 14B, and the corresponding	
			portions of the specification at 6:17-	Expert testimony from Dr.
			30, 6:50-7:22, 8:60-9:5, 17:8-52,	
			18:4-6, 18:45-60, 20:49-53, 22:11-	Matthew Shoemake.
			15, and 22:56-22:65, and equivalents	
			thereof.	
			WSOU identifies the following	
			exemplary extrinsic evidence in	
			support of its construction:	
			Dictionary of Computer and	
			Internet Words at WSOU-	
			NEC-0001867	

 IBM Dictionary of Computing at WSOU-NEC- 0001870 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC- 0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC- 0001899 WSOU may rely on the declaration
and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC.

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			WSOU further reserves the right to rely on positions and evidence cited by NEC.	
32.	means for establishing communication in accordance	26	Governed by 35 U.S.C. § 112, ¶ 6. This term is not indefinite.	Governed by 35 U.S.C. § 112, ¶
	with the configuration			6.
			<u>Function</u> :	
			establishing communication in accordance with the configuration	Function: "establishing
			~	communication in accordance
			Structure/material/acts:	:41, 41, C4:22
			For example, apparatus B (1302) and process 8 of Fig. 13, communications	with the configuration"
			module 230 of Fig. 2, memory 330	Structure: Indefinite.
			and processor 300 of Figs. 3, 7A, 8A,	
			9A, or 11, software-defined radio	Algorithm: None, and thus
			module 1102 and software modules	. 1 6 .
			1110-1118 of Fig. 12, and step 1456 of Fig. 14B, and the corresponding	indefinite.
			portions of the specification at 6:17-	Extrinsic Evidence:
			30, 6:17-30, 6:50-7:22, 8:60-9:5,	
			17:8-52, 18:4-6, 18:45-60, 20:53-56,	Expert testimony from Dr.
			22:11-15, and 22:65-67, and	
			equivalents thereof.	Matthew Shoemake.
			WSOU identifies the following	
			exemplary extrinsic evidence in	
			support of its construction:	
			Dictionary of Computer and	
			Internet Words at WSOU-	
			NEC-0001867	
			IBM Dictionary of	
			Computing at WSOU-NEC- 0001870	

 Microsoft Computer Dictionary (5th Edition) at WSOU-NEC-0001884 Dictionary of Computing (5th Edition) at WSOU-NEC- 0001889 Webster's Pocket Computer & Internet Dictionary at WSOU-NEC-0001894 Webster's New World Computer Dictionary (10th Edition) at WSOU-NEC- 0001899
WSOU may rely on the declaration and/or testimony of Dr. Polish to explain the technology of the asserted patent, both generally and with respect to this term, the state of the art as of the claimed priority date of the asserted patent, the level of ordinary skill in the art, and the meaning of the term to a person of ordinary skill in the art at the time of the invention. WSOU may also rely on Dr. Polish to respond to NEC's claim construction positions and alleged support, including why WSOU's position should be adopted over that of NEC. WSOU further reserves the right to rely on positions and evidence cited by NEC.